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cc: order, docket, remand letter to Los Angeles  
Superior Court, Southeast District, Downey, No. 12 C 02368

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JPMORGAN CHASE BANK, ) Case No. CV 12-07738 DDP (RZx)  
NATIONAL ASSOCIATION, )  
Plaintiff, ) **ORDER TO REMAND**  
v. ) [Dkt. No. 5]  
MAXIMILIANO GARCIA, TERESA )  
GARCIA, )  
Defendant. )  
\_\_\_\_\_)

Presently before the court is Plaintiff's Motion to Remand ("Motion"). Because Defendant has not filed an opposition, the court GRANTS the Motion.

Central District of California Local Rule 7-9 requires an opposing party to file an opposition to any motion at least twenty-one (21) days prior to the date designated for hearing the motion. Additionally, Local Rule 7-12 provides that "[t]he failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion."

The hearing on Plaintiff's Motion was set for October 29, 2012. Defendant's opposition was therefore due by October 9, 2012.

1 As of the date of this Order, Defendant has not filed an  
2 opposition, or any other filing that could be construed as a  
3 request for a continuance. Accordingly, the court deems  
4 Defendant's failure to oppose as consent to granting the Motion to  
5 Remand, and GRANTS the Motion. The case is REMANDED to state court  
6 for adjudication.

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8 IT IS SO ORDERED.

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11 Dated: October 24, 2012

  
DEAN D. PREGERSON  
United States District Judge

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